

PATENT

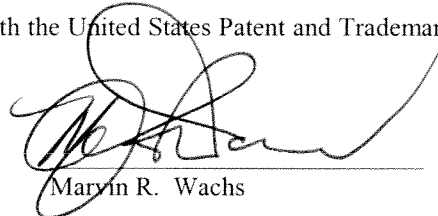
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicant:</b>	Johns, Peter Gamon	<b>Art Unit:</b>	1793
<b>Serial No.:</b>	10/559,092	<b>Confirmation No.</b>	5957
<b>Filing Date:</b>	August 24, 2006	<b>Examiner:</b>	Ip, Sikyin
<b>Title:</b>	Silver Ternary Alloy	<b>Docket No.:</b>	MSX-104(US)

**CERTIFICATE OF TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Patent and Trademark Office by electronic filing on:

Date: February 4, 2009



Maryn R. Wachs

**RESPONSE TO THE FINAL OFFICE ACTION OF AUGUST 14, 2008****I. INTRODUCTORY COMMENTS**

- **REQUEST FOR CONSIDERATION OF RESPONSE**

This “RESPONSE TO THE FINAL OFFICE ACTION OF AUGUST 14, 2008” replies to the outstanding restriction requirement in this case. This response is a bona fide attempt to advance the application to final action. In light of the amendments (if any) and remarks set forth below, Applicant requests that the Examiner reconsider the Examiner’s stance with respect to the patentability of the claims and Applicant seeks further examination of the application. Applicant hereby requests that any objections or requirements as to form not necessary to further consideration of the claims be held in abeyance until allowable subject matter is indicated.

- REQUEST FOR CONTINUED EXAMINATION, EXTENSION AND PAYMENT OF FEES

A three month extension of the time for response to the Office Action is requested. The Applicant further submits a Request for Continued Examination (RCE). Applicant hereby provides the Commissioner with the authority to debit Kelley Drye & Warren's Deposit Account No. 11-0404 for all necessary fees. While not believed applicable in such case, Applicants note 37 C.F.R. §1.7 which states "[w]hen the day, or the last day fixed by statute or by or under this part for taking any action or paying any fee in the United States Patent and Trademark Office falls on Saturday, Sunday, or a Federal holiday within the District of Columbia, the action may be taken, or the fee paid, on the next succeeding business day which is not a Saturday, Sunday or a Federal holiday."

- *LOCATION OF SPECIFIED SECTIONS FOR SCANNING OF THIS DOCUMENT*

SECTIONS OF DOCUMENT	LOCATION OF SECTION
<b>I. INTRODUCTORY COMMENTS</b>	<b>Pages 1 - 3</b>
<b>II. AMENDMENTS TO THE SPECIFICATION</b>	<b>Pages 4</b>
<b>III. AMENDMENTS TO THE CLAIMS</b>	<b>Pages 5 - 6</b>
<b>IV. AMENDMENTS TO THE DRAWINGS</b>	<b>Pages 7</b>
<b>V. REMARKS/ARGUMENTS</b>	<b>Pages 8-10</b>
<b>VI. APPENDIX</b>	<b>Pages 11</b>

- REQUEST FOR ENTRANCE OF AMENDMENTS AND CONSIDERATION OF ARGUMENTS

Applicant respectfully requests entrance of the amendments (if any), and consideration of its arguments set forth below. Amended/new claims that may be construed as more limiting in scope than the scope of any of the claims prior to amendment/cancellation/addition should not be

construed as an abandonment of any subject matter no longer claimed, nor should the amended/new claims be construed in any manner to waive or limit the equivalent structures of any element recited in such claims that would otherwise be available under the Doctrine of Equivalents with respect to the unamended/canceled claims.

Amendment/cancellation/addition of the claims is not in any manner intended to, and should not be construed to, waive Applicant's right in the future to seek protection for the subject matter claimed in prior claims, or to seek protection for similar matter in any continuation, divisional, continuation-in-part, RCE, CPA or any other application claiming priority to or through the present application. Applicants expressly reserve the right to file applications directed to the subject matter covered by any canceled or previously submitted claim, as well as any uncovered subject matter disclosed in the specification.